

**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**Before the Commissioner of the Office of Financial and Insurance Regulation**

**In the matter of:**

**Timothy W. Deenik  
System ID No. 0233925**

**Enforcement Case No. 07-4981**

**Respondent**  
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Issued and entered  
on June 25 2008  
Catherine J. Kirby  
Acting Chief Deputy Commissioner

**CONSENT ORDER AND STIPULATION**

**A. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

It is alleged that the following statements are true and correct:

1. At all pertinent times, Timothy W. Deenik ("Respondent") was a licensed resident producer authorized to transact the business of insurance in the State of Michigan.
2. As a licensed insurance producer, Respondent knew or had reason to know that Section 1239 of the Michigan Insurance Code ("Code") allows the Commissioner to place on probation, suspend, or revoke an insurance producer's license or levy a civil fine under Section 1244 for any one or more of the causes set forth in Section 1239 of the Code.
3. Respondent has violated Section 1239 of the Code, as described below:

**COUNT I**

4. On or about December 13, 2006, the Office of Financial and Insurance Regulation ("OFIR") was notified by The Northwestern Mutual Life Insurance Company ("Northwestern Mutual"), that Respondent's Agent Contract with Northwestern Mutual Managing Partner Gordon Elgersma was terminated on November 17, 2006 and Respondent's appointments with Northwestern Mutual and Northwestern Long Term Care Insurance Company were electronically cancelled on December 8, 2006.

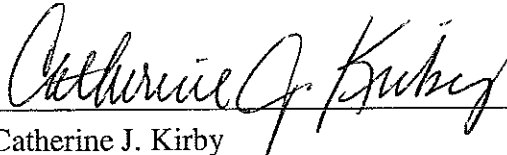
5. According to the records of the Financial Industry Regulatory Authority ("FINRA"), Managing Partner Gordon Elgersma, who was Respondent's supervisor and the OSJ supervisor of Respondent's office, was permitted to resign from Northwestern Mutual Investment Services, Inc. ("Northwestern Mutual Investment") (Northwestern Mutual's affiliated broker dealer) on November 17, 2006, after Mr. Elgersma provided Respondent his computer sign on information and knowingly allowed Respondent to log onto Mr. Elgersma's computer to take an internal training examination required by Northwestern Mutual Investment.
6. On or about November 6, 2006, Respondent acknowledged to Northwestern Mutual Home Office personnel that the managing partner and office supervisor, Mr. Elgerma, gave the Respondent his computer sign-on information, asked Respondent to take the internal training examination for Mr. Elgerma, and that Respondent logged onto the managing partner's computer and jointly participated with another financial representative by taking an internal training examination for the managing partner required by Northwestern Mutual Investment.
7. The examination in question was the "Essentials of Signature Portfolios Examination." The completion of the examination by the managing partner was required before the managing partner could supervise the representatives concerning the sales of the Northwestern Mutual Signature Portfolios and before Respondent and other representatives could use the products.
8. Respondent's actions did not in any way involve customers of Northwestern Mutual, Northwestern Mutual Investment or Respondent, nor did it involve the sale of products to such customers or members of the public. Further, Respondent's conduct in no way involved the taking of required examinations of self-regulatory organizations such as FINRA. FINRA looked into the incident and took no action concerning Respondent.
9. However, OFIR is of the view that Respondent's action described above, even though done with his managing partner's consent, was contrary to Section 1239 of the Code and regulations of this State and therefore subject to sanctions and/or civil fines under Section 1244 of the Code.

## **B. ORDER**

Based on the Findings of Fact and Conclusions of Law above and Respondent's stipulation, it is **ORDERED** that:

1. Respondent shall immediately cease and desist from operating in such a manner as to violate the Michigan Insurance Code.

- 2 Respondent shall pay to the State of Michigan a civil fine of Five Hundred dollars (\$500.00). Upon execution of this Order, OFIS will send Respondent an Invoice for the civil fine, which shall be due within 30 days of issuance of the Invoice.

  
Catherine J. Kirby  
Acting Chief Deputy Commissioner

Dated: 6-25-08